

1 THE HONORABLE RICARDO S. MARTINEZ
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,) No. CR19-200-RSM
11 Plaintiff,)
12 v.) ORDER GRANTING UNOPPOSED
13 THOMAS DAY,) MOTION TO SCHEDULE
14 Defendant.) DEFENDANT'S SENTENCING
15) HEARING BY VIDEOCONFERENCE

16 THE COURT has considered the unopposed motion of the parties to proceed
17 forward with a sentencing hearing, by videoconference, for March 25, 2021, for the
18 following reasons:

19 (a) Under General Order 04-20, felony pleas and sentencing may
20 proceed by video or telephone if “the district judge in a particular case finds for specific
21 reasons that the plea or sentencing in that case cannot be further delayed without
22 serious harm to the interests of justice.” A sentencing hearing in this case cannot be
23 delayed without serious harm to the interests of justice; and

24 (b) Mr. Day would like his sentencing hearing held as soon as possible
25 and resolve the case in a timely fashion; and

1 (c) Mr. Day wishes to have his sentencing hearing held as soon as
2 possible in light of anticipated delay associated with the COVID pandemic and a desire
3 to alleviate presumptive backlogged court calendars following the COVID recovery
4 process. Mr. Day believes that the Court may not be as able to accommodate a timely
5 resolution of his case in the future as more cases are delayed; and

6 (d) a videoconference sentencing hearing would avoid further delays in
7 the ultimate sentencing in this case, which would cause “serious harm to the interests of
8 justice.” See General Order No. 04-20 (3/30/20).

9 IT IS THEREFORE ORDERED that this matter should be set for a sentencing
10 hearing by videoconference on March 25, 2021.

12 DONE this 22nd day of March, 2021.

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16 RICARDO S. MARTINEZ
17 CHIEF UNITED STATES DISTRICT
18 JUDGE

Presented by:

19 /s/ Gregory Geist
20 Assistant Federal Public Defender
21 Attorney for Thomas Day